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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,675	07/31/2001	Surendra Goel	06975-194001	1183

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EXAMINER	
FLEURANTIN, JEAN B	
ART UNIT	**PAPER NUMBER**
2162	

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/917,675	GOEL ET AL.	
	Examiner	Art Unit	
	JEAN B. FLEURANTIN	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 October 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8-25 and 27-43* is/are rejected.

7)☒ Claim(s) *7 and 26* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114 was filed in this application after appeal to the Board of Patent Appeals and Interferences, but prior to a decision on the appeal. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 10/14/05 has been entered.

2. Claims 1-43 remain pending for examination.

Response to Arguments

3. Applicant's arguments with respect to claims 1-43 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6, 8-25, 27-38 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,370,527 issued to Singhal, ("Singhal") in view of U.S. Patent No. 6,526,440 issued to Bharat, ("Bharat").

As per claims 1 and 20, Singhal discloses "a method for performing a search for both local electronic content and remote electronic content based on a single query" (i.e., sending query a search terms to search engine devices (140-160); see col. 6, lines 30-35; and Fig. 6), the method comprising:

"receiving a single query that includes at least one search term" (i.e., receives a query containing search terms; see col. 6, lines 31-32);

"wherein the local device is a personal computing device" (i.e., a user device (100); see col. 2, line 60, Fig. 3, item 100);

"combining the first result and the second result into an amalgamated result" (i.e., compiling the results from each of the search engine devices into a merged list; see col. 1, lines 37-38), and col. 6, line 67 to col. 7, line 1; and

"displaying the amalgamated result" (i.e., displaying the merged list; see col. 1, lines 37-41). Further, Singhal discloses an apparatus for searching distributed networks using a plurality of search devices (see col. 1, lines 32-34), and automatically entered search queries into a plurality of search engines devices (see col. 2, lines 16-27). Singhal fails to explicitly disclose comparing the received search term automatically in response to the single query with indexed electronic content that is stored on a local device a first result and comparing the received search term with electronic content that stored on a remote device to derive a second result. However, Bharat discloses comparing the received search term automatically in response to the single query with indexed electronic content that is stored on a local device to derive a first result and comparing the received search term with electronic content that stored on a remote device to derive a second result (see Bharat col. 1, line 65 to col. 2, line 2).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Singhal with comparing the received search term automatically in response to the single query with indexed electronic content that is stored on a local device a first result and comparing the received search term with electronic content that stored on a remote device to derive a second result as disclosed by Bharat (see Bharat col. 3, lines 19-22). Such a modification would allow Singhal's system to improve the accuracy of the anabling a search for both local and remote electronic content, thereby providing relevant results to the user based on the search query (see Bharat col. 1, lines 22-24).

As per claims 2 and 21, Singhal discloses "the personal computing device includes a general purpose computer having an operating system" (see Fig. 3, col. 2, lines 59-65).

As per claims 3 and 22, in addition to claim 1, Singhal substantially discloses the invention as claimed except comparing the received search term automatically with indexed electronic content that is stored on a local device and electronic content stored on a remote device. However, Bharat discloses comparing the received search term automatically in response to the single query with indexed electronic

content that is stored on a local device to derive a first result and comparing the received search term with electronic content that stored on a remote device to derive a second result (see Bharat col. 1, line 65 to col. 2, line 2).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Singhal with comparing the received search term automatically with indexed electronic content that is stored on a local device and electronic content stored on a remote device as disclosed by Bharat (see Bharat col. 3, lines 19-22). Such a modification would allow Singhal's system to improve the accuracy of the anabling a search for both local and remote electronic content, thereby providing relevant results to the user based on the search query (see Bharat col. 1, lines 22-24).

As per claims 4 and 23, Singhal discloses "wherein the amalgamated result is display without indicating whether the amalgamated result was derived from the first result or second result" (i.e., displayed the merged list; see col. 1, lines 37-41).

As per claims 5 and 24, the limtations of claims 5 and 24 are rejected in the analysis of claim 1, and these claims are rejected on that basis.

As per claims 6 and 25, in addition to claim 1, Singhal substantially discloses the invention as claimed except at a separate time, performing a second comparison of the received search term the electronic content stored on the remote device. However, Bharat discloses a separate time, performing a second comparison of the received search term the electronic content stored on the remote device (see Bharat col. 1, line 65 to col. 2, line 2).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Singhal with a separate time, performing a second comparison of the received search term the electronic content stored on the remote device as disclosed by Bharat (see Bharat col. 3, lines 19-22). Such a modification would allow Singhal's system to improve the accuracy of the anabling a search for both local and remote electronic content, thereby providing relevant results to the user based on the search query (see Bharat col. 1, lines 22-24).

As per claims 8 and 27, the limtations of claims 8 and 27 are rejected in the analysis of claim 1, and these claims are rejected on that basis.

As per claims 9 and 28, in addition to claim 1, Singhal further discloses "wherein the first local device and the second local device are networked in a local area network" (see Fig. 3, element 120, col. 2, line 65).

As per claims 10 and 29, in addition to claim 1, Singhal further discloses "creating an index based on the electronic content stored on the local device" (i.e., compiling results from different search engine devices and merging into a list, and then sorting the merging list; see col. 1, lines 35-39).

As per claims 11 and 30, in addition to claim 1, Singhal discloses "creating the index includes creating the index at an event pre-designated by a user of the local device" (i.e., compiling results from different search engine devices (local and remote devices) and merging into a list and then sorting the merging list; see col. 1, lines 35-39).

As per claims 12 and 31, in addition to claim 1, Singhal discloses "creating the index includes creating the index on demand in response to an action by a user of the local device" (i.e., compiling results from different search engine devices (local and remote devices) and merging into a list and then sorting the merging list; see col. 1, lines 35-39).

As per claims 13 and 32, in addition to claim 1, Singhal discloses "creating the index includes creating the index based on the electronic content stored on the local device" (i.e., compiling results from different search engine devices (local and remote devices) and merging into a list and then sorting the merging list; see col. 1, lines 35-39).

As per claims 14 and 33, in addition to claim 1, Singhal discloses "creating an index based on the electronic content stored on the remote device" (i.e., compiling results from different search engine devices (local and remote devices) and merging into a list and then sorting the merging list; see col. 1, lines 35-39).

As per claims 15 and 34, in addition to claim 1, Singhal discloses "creating a local index based on the electronic content stored on the remote device" (i.e., compiling results from different search engine devices (local and remote devices) and merging into a list and then sorting the merging list; see col. 1, lines 35-39).

As per claims 16 and 35, in addition to claim 1, Singhal further discloses "creating a local index based on the electronic content stored on the remote device" (i.e., compiling results from different search engine devices (local and remote devices) and merging into a list and then sorting the merging list; see col. 1, lines 35-39).

As per claims 17 and 36, the limtations of claims 17 and 36 are rejected in the analysis of claim 1 and 3, and these claims are rejected on that basis.

As per claims 18 and 37, in addition to claim 1, Singhal further discloses "in response to an action of a user of the local device" (i.e., receiving a search query from a user device; see col. 1, line 35).

As per claims 19 and 38, in addition to claim 1, Singhal further discloses "in response to an action of a user of the local device" (i.e., receiving a search query from a user device; see col. 1, line 35).

As per claim 43, Singhal discloses "a system for performing a search for both local electronic content and remote electronic content based on a single query" (i.e., sending query a search terms to search engine devices (140-160); see col. 6, lines 30-35; and Fig. 6), the method comprising:

"means for receiving a single query that includes at least one search term" (i.e., receives a query containing search terms; see col. 6, lines 31-32);

"wherein the local device is a personal computing device" (i.e., a user device (100); see col. 2, line 60, Fig. 3, item 100);

"means for combining the first result and the second result into an amalgamated result" (i.e., compiling the results from each of the search engine devices into a merged list; see col. 1, lines 37-38), and col. 6, line 67 to col. 7, line 1; and

"means for displaying the amalgamated result" (i.e., displaying the merged list; see col. 1, lines 37-41). Further, Singhal discloses an apparatus for searching distributed networks using a plurality of search devices (see col. 1, lines 32-34), and automatically entered search queries into a plurality of search engines devices (see col. 2, lines 16-27). Singhal fails to explicitly disclose means for comparing the received search term automatically in response to the single query with indexed electronic content that is stored on a local device a first result and comparing the received search term with electronic content that stored on a remote device to derive a second result. However, Bharat discloses comparing

the received search term automatically in response to the single query with indexed electronic content that is stored on a local device to derive a first result and comparing the received search term with electronic content that stored on a remote device to derive a second result (see Bharat col. 1, line 65 to col. 2, line 2).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Singhal with comparing the received search term automatically in response to the single query with indexed electronic content that is stored on a local device a first result and comparing the received search term with electronic content that stored on a remote device to derive a second result as disclosed by Bharat (see Bharat col. 3, lines 19-22). Such a modification would allow Singhal's system to improve the accuracy of the anabling a search for both local and remote electronic content, thereby providing relevant results to the user based on the search query (see col. 1, lines 22-24).

i) Claims 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,370,527 issued to Singhal, ("Singhal") in view of U.S. Patent No. 6,526,440 issued to Bharat, ("Bharat") as applied to claims 1-6, 8-25, 27-38 and 43 above, and further in view of U.S. Patent No. 6,643,641 issued to Snyder ("Snyder").

As per claims 39-42, Singhal substantially discloses the claimed invention except the operating system includes a Window-based operating system and Unix-based system. However, Snyder discloses Window-based operating system and Unix-based operating system (see Snyder col. 22, lines 9-21).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Singhal and Bharat with Window-based operating system and Unix-based operating system as disclosed by Snyder (see Snyder col. 7, lines 65-67). Such a modification would allow Singhal's system to improve the accuracy of the anabling a search for both local and remote electronic content, and to provide an abbreviated representation of searchable data files (see col. 4, lines 62-63).

Claim Objections

ii) Claims 7 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

CONTACT INFORMATION

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEAN B. FLEURANTIN whose telephone number is 571 – 272-4035. The examiner can normally be reached on 7:05 to 4:35.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571 – 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jean Bolte Fleurantin

Patent Examiner

Technology Center 2100

December 21, 2005

SHAHID ALAM
PRIMARY EXAMINER